

UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: SZNAIDMAN, Marcos L. Art Unit: 1611

Re: Application of: KIM, Myung-Hwa, et al.

Serial No.: 10/562,615

Filed: July 27, 2006

For: **TRICYCLIC DERIVATIVES OR
PHARMACEUTICALLY SALTS THEREOF, THEIR
PREPARATIONS AND PHARMACEUTICAL
COMPOSITIONS CONTAINING THEM**

Confirmation No.: 6138

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

January 20, 2009

Sir:

Pursuant to M.P.E.P. §609 and 37 C.F.R. §§1.56, 1.97-1.99, Applicants herewith submit form PTO/SB/08a, which lists references cited in the International Search Report (ISR) dated September 24, 2004. A copy of the ISR is enclosed herewith. Applicants have not included reference already made of record in the application on form PTO-892 by the Examiner.

This submission does not represent that a search has been made or that no better art exists. While the term "references" is used in citing the documents called to the Examiner's attention herein, Applicants do not make any admission that each or all of them are "prior art" references within the meaning of the statutory and case law.

Applicants reserve the right to contend, where appropriate, that a reference asserted against any claim of the present application is not prior art under the facts and the law.

Applicants also reserve the right to present appropriate arguments and/or evidence to establish patentability over the references, should one or more of the references be applied against the claims of the present application.


Applicants request that the Examiner independently determine those items which the

Examiner would consider the most pertinent of all the references cited herein.

This Supplemental Information Disclosure Statement is filed before the mailing of any of a final action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application. The \$180.00 fee set forth in 37 C.F.R. 1.17(p) is being charged to the undersigned's credit card. Any deficiency or overpayment should be charged or credited to Deposit Account No. 02-2275. Accordingly, this document complies with the requirements of 37 C.F.R. Section 1.97(c). It is respectfully requested that the reference cited in the accompanying form PTO-1449 be considered and made of record.

Respectfully submitted,

LUCAS & MERCANTI, LLP



Yun H. Choe

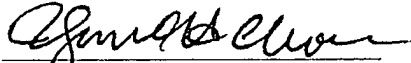
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CERTIFICATE

I hereby certify that this correspondence is being EFS-Web or facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 20, 2009

LUCAS & MERCANTI, LLP

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